

**MINUTES OF THE REGULAR SESSION  
OF THE BOARD OF HARBOR COMMISSIONERS OF THE  
CRESCENT CITY HARBOR DISTRICT**

**December 1, 2009**

**COMMISSIONERS PRESENT:**

Jack Reese, President  
Ray Martell, Secretary  
Scott Feller  
James Ramsey  
Ron Phillips

**COMMISSIONERS ABSENT:**

None

**OTHERS PRESENT:**

Richard Young, C.E.O/Harbormaster  
Kenneth Towe, Harbor RV Anchorage  
Bill Renfroe, Tri-Agency  
Victor Reynoso, Army Corps  
Pat Royce, Dredge Contractor

Wilma Madden, P.S. Secretarial  
Ward Stover, Stover Engineering  
Pat Rideout, The Chart Room  
Ernie Perry, Harbor Planner  
Don Alber, Alber Seafoods

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**6:30 P.M. The Board of Harbor Commissioners will meet in open session to discuss the following agenda items.**

President Reese called the meeting to order at 6:30 p.m.

**Pledge of allegiance.**

The pledge was led by Commissioner Phillips.

**Public comment.**

The following person addressed the commission: Tracy Brown, resident of Del Norte County, south of town, stated she was having problems convincing her landlord that he is having electrical problems. The problem has caused damage to items in her trailer. She added that the landlord indicated it was power company problem and she filed a claim with Pacific Power for the damage. She complained that the power had been off for four days. She continued that her landlord, Mr. Towe, then called Pacific Power and told them to drop her claim and has issued her an eviction notice. Ms. Brown then stated that she had also received notice that the power is being shut off. President Reese asked if the Harbor District was responsible for the electricity in the RV park. Mr. Young responded the Harbor District was not; those connections belong to the park.

Ward Stover pointed out that the State Department of Housing and Community Development has jurisdiction over RV parks. Ms. Brown indicated that the County Code Enforcement Officer had come out and had given her a form to fill out and send to the State. Kenneth Towe stated that not all of Ms. Brown's comments were accurate. He stated that they did have some electrical problems and that the electricians have been making repairs. He added that he has insurance, has notified his insurance company, and they will be covering the damage to the tenants, of which he had notified Pacific Power. Mr. Towe stated that tenants were without power for one day, not four days. Mr. Towe then stated that the eviction of Ms. Brown was based on the repeated verbal attacks on himself by Ms. Brown's husband/boyfriend. Ms. Brown asked if she could bring her neighbors to the next meeting in support of her claims. President Reese and Commissioner Martell advised Ms. Brown that she could indeed attend the next meeting with her neighbors; however, the Harbor Commission does not have the authority to resolve an issue between tenant and landlord of the RV park.

**1. Consent agenda.**

**Public comment: Requests to remove items from the Consent Agenda may be heard at this time.**

**A) Approval of the warrants issued since November 17, 2009.**

**B) Approval of the minutes of the Regular Meeting of November 17, 2009.**

The following public comments were made regarding the consent agenda:

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED BY POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE CONSENT AGENDA, CONSISTING OF ITEMS 1.A-B, AS PRESENTED. PRESIDENT REESE COMMENTED ON THE WARRANTS INCLUDED PERTAINING TO MEDICAL COSTS.

MR. YOUNG EXPLAINED THAT AN ITEM HAD ARISEN SUBSEQUENT TO THE POSTING OF THE AGENDA THAT REQUIRED ACTION BY THE COMMISSION. COMMISSIONER RAMSEY MOVED TO ADD AN URGENCY ITEM THAT CAME TO THE ATTENTION SUBSEQUENT TO POSTING THE AGENDA. COMMISSIONERS PHILLIPS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY. MR. YOUNG THEN REPORTED ON REPAIRS THAT NEED TO BE MADE TO THE TRAVEL-LIFT. AN ESTIMATE FROM FASHION BLACKSMITH INDICATES THAT REPAIRS NEED TO BE DONE TO THE CABLE, CHAIN, AND OTHER ITEMS. THE COST ESTIMATE IS APPROXIMATELY \$20,000. MR. YOUNG ASKED FOR PERMISSION FOR THE EXPENDITURE, ADDING THAT WITHOUT THE REPAIRS THE TRAVEL-LIFT CANNOT BE USED. HE ADDED THAT FOLLOWING THESE REPAIRS, IT SHOULD BE GOOD FOR ANOTHER 10 YEARS, AS THE ENGINE HAS ALREADY BEEN REPLACED, AS HAVE THE TIRES. COMMISSIONER MARTELL ASKED IF THE INCOME FROM THE TRAVEL-LIFT WAS GREATER THAN \$2,000 PER YEAR. MR. YOUNG RESPONDED THAT HE BELIEVED SO, BUT ALSO FELT THAT THEY SHOULD REVISIT THE FEES CHARGED FOR TRAVEL-LIFT. COMMISSIONER FELLER MOVED TO APPROVE THE EXPENDITURE. MR. YOUNG INDICATED THAT, IF THE ACTUAL COST OF REPAIRS EXCEEDS THE \$20,000 ESTIMATE, HE WILL BRING THE ITEM BACK BEFORE THE COMMISSION.

COMMISSIONER RAMSEY SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY.

**2. Discussion of possible Memorandum of Agreement (MOA) with other Del Norte, Humboldt, and Mendocino entities to create a North Coast Committee to coordinate action on regional coastal issues.**

Discussion was held regarding the MOA with Del Norte, Humboldt and Mendocino Counties. Mr. Young commented that this was being developed in response to the Marine Life Protection Act, and could prove to be a beneficial entity. He did not envision the group meeting often, but will open lines of communication between affected jurisdictions. President Reese asked if this was really just another meeting or if it would truly be worthwhile. Mr. Young responded he was not sure they really needed another organization. He added that this agreement is just a draft; the final is still to come, which would come back to the Commission. President Reese asked if they were looking for staff or a board member as a participant. Mr. Young responded that it could be either or both. Commissioner Ramsey commented that he felt a united front would be beneficial when it comes to regional issues. Mr. Young indicated that they already have other methods of doing that. Commissioner Feller commented that for the upcoming Water Quality issues a regional group would carry more weight. Commissioner Martell asked when final the final agreement would be ready. Mr. Young indicated he expected it in the next few weeks. Commissioner Martell suggested the final agreement be reviewed by legal counsel first and then come before the Board at the next convenient meeting after his review.

**3. Standing Agenda Items. Discussion and consideration of status of inner basin rebuilding project.**

Discussion was held regarding the status of the inner basin rebuilding. Ward Stover made a presentation on the project progress to date. The goal is to have a final configuration by the middle of January. Once they have the final configuration, they can move forward with permitting. He added that the 8 months he estimated for the Coastal Commissioner permit may have been optimistic as other project applications have been at Coastal for an extended period and have not yet been heard. Mr. Stover indicated that on December 14<sup>th</sup> Harbor staff will have a conference call with the Community Development Block Grant staff to finalize conditions that need to be taken care of for the grant. The first \$2.5 million will be available December 2009, with the second \$2.5 million available December 2010. Mr. Stover explained the Harbor has until 2013 to expend the funds if there is any issue with construction. President Reese asked where the money is held. Mr. Stover responded they would be clarifying that during the December 14 conference call. Mr. Stover reminded the Commission that they will not be able to spend CDBG funds on engineering or labor, but can use those funds for the purchase of materials and equipment. Mr. Stover then reviewed slip size and layout, and compliance with California Department of Boating and Waterways requirements, in order to meet Office of Emergency Services needs. Mr. Young commented they have had Mr. Perry involved in discussions to date in order to facilitate his assistance with Coastal and any other permitting. President Reese asked when the layout would be finalized. Mr. Stover responded it would be within the next two to five weeks. President Reese indicated that is an established ad hoc committee for the project and they should be included in the staff meetings. Mr. Young remarked that so far it has all been background research, with no real decision making as yet. Commissioner Ramsey

asked if they have to stick to a design similar to the current layout for permitting. Mr. Stover responded that they did not; but there are some things that could trigger concern. Commissioner Feller asked what would be some of those concerns. Mr. Stover responded that boat size could be one; they will need to provide for small recreational boats even though there's no money in them. Mr. Young commented that there can be no net loss of smaller slips at Coastal, but staff has been discussing some alternative ideas. Mr. Stover reviewed the size of slips and the background research that has been done on length and width of boats on the market. They have looked at what Woodley Island in Humboldt County has for slip sizes and ratios, since they serve both recreational and commercial boats also. Commissioner Phillips asked when Woodley Island marina was built. Mr. Stover responded it was built in 1974-75, but has been well maintained. He added that they still need to review the needs of the Crescent City fleet. They do not want to design a harbor that will be obsolete as soon as it's built. He added that they also will be looking at transient needs. Mr. Stover then showed potential layouts and reviewed their pros and cons. He indicated they don't want to lose anything on the workdock. Commissioner Ramsey asked if they could put 50 foot berths along D dock. Mr. Stover indicated that would narrow the fairway. Commissioner Ramsey asked if they could increase number of 50 foot slips without losing a substantial number of slips. Mr. Stover responded that it is a question of how many 50 ft slips are empty during summer. Commissioner Phillips asked if financial comparisons are being done. Mr. Young commented that a fewer number of slips does not necessarily mean fewer boats. They are looking at seasonal occupation at Woodley Island as their occupancy is a similar seasonal use. Mr. Young added that some marinas charge based on square footage of boats instead of lineal slip size. Mr. Stover pointed out that they presently have 175 slips in use at Crescent City. Commissioner Ramsey asked if they can change the location of walkways. Mr. Stover responded that they can, but pointed out the downside of doing so. Commissioner Feller asked if they could improve the walkway to be cart accessible, but not vehicle accessible. Mr. Young commented they were considering designating one or two slips at the ramp as loading/unloading slips only. Further discussion of ADA compliance and other options for the ramps was held. Commissioner Phillips indicated he wanted to see 170 plus slips and the financial comparisons. Commissioner Feller asked if the pylons could be in the center of H dock, instead of at the ends, so it could be used for side-ties. Mr. Stover responded that he and Mr. Young had already discussed that idea and planned to include it. The Commissioners concurred they are moving in the right direction. Commissioner Feller asked for an updated timeline from Mr. Stover every month. President Reese commented that it would be a good idea to provide the timeline to the County Board of Supervisors as well in relation to the CDBG funding.

#### **4. Committee reports from other standing and ad hoc committees.**

The following committee reports were made: Commissioner Phillips reported on the Tri-Agency meeting last week. The dredging and waste-water treatment plant were discussed. The City seems more concerned with funding for the water treatment plant than with retaining Alber Seafood jobs. Tri-Agency will be coming to Harbor District requesting a three year funding commitment instead of just one year. Commissioner Phillips also attended the Chamber meeting. Commissioner Feller asked Mr. Renfroe about the possibility of another fish processor coming in. Mr. Renfroe reported they are no further along now than back in August with regard to the wastewater treatment plant. Mr. Alber still doesn't have a draft lease or a draft discharge permit. He added that he

spoke to Mr. Butler, City Manager, and Jim Barnts, City Engineer, is doing a timeline for the permit. On the upside, crab is being processed. Mr. Young commented that the Harbor's long-term lease with Alber is contingent upon an agreement with the City. He added that the Harbor's legal counsel and Alber's attorney are working on a one year extension. Commissioner Martell asked how long the long-term lease will take to draft. Mr. Young indicated it will require a meeting with the lease committee, but can work up a draft; but need to get the waste discharge issue resolved. The Commissioners agreed to proceed with draft long-term lease.

**5. C.E.O.'s report on current matters and issues planned or in progress.**

The C.E.O.'s report included the following topics: 1) Dredging of the federal channel is proceeding. They have had equipment breakdown issues. The Harbor dredge is at the synchrolift; 2) There are eight FEMA projects remaining to be completed, most of which are at the permitting stage at coastal still; 3) There will be a Marine Life Protection Act working group meet again tomorrow. Nomination papers for the Regional Stakeholder Group have been submitted for myself, as well as letters of support for the list of names supplied by Zack Larson; 4) The Permit has been submitted to the Air Resources Control Board for dredge diesel engine; 5) Mr. Young reported that he is participating in planning of a tsunami drill; 6) Crew projects – working on the Alber Seafood roof and hope to be done this week. They are preparing the trench for the installation of the new electrical line to the shop in order to remove the old and dangerous transformers. The engine swap in the mobile crane is complete and it is operable. They repaired several camels, and have added three additional dumpsters for garbage now that crab season has started.

**6. Board Comments.**

The following commissioners made comments: none.

**7. Adjournment**

There being no further business to come before the Commission, President Reese adjourned the meeting at 8:15 p.m. until the next regularly scheduled meeting on

December 15, 2009 at 6:30 p.m. at the Flynn Center, 981 H Street, Crescent City, California.

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Jack Reese, President

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Ray Martell, Secretary

Approved this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.